

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND**
(Greenbelt Division)

In re:	:	
	:	
GREGORY J. CASAMENTO,	:	Case No. 21-1-6504-LS
	:	Chapter 13
Debtor.	:	
	:	

**TRUSTEE’S MOTION TO DISMISS CHAPTER 13 CASE
FOR DEBTOR’S FAILURE TO MAKE PLAN PAYMENTS**

Timothy P. Branigan, Chapter 13 trustee in the above-captioned case (“Trustee”), pursuant to section 1307(c) of the Bankruptcy Code and Bankruptcy Rule 1017(f), requests the Court to dismiss the case inasmuch as the Debtor has failed to make the payments proposed under the plan confirmed by the Court. Such failure constitutes cause for dismissal, has resulted in an unreasonable delay by the Debtor that is prejudicial to creditors, and represents a material default with respect to the terms of the plan. A copy of the receipts journal for the case is attached hereto and made a part hereof. At this time, the Debtor is \$5,100.00 behind in plan payments, which under the terms of the plan is approximately 5 plan payments.

WHEREFORE, the Trustee prays that the Court dismiss the case.

Respectfully submitted,

December 8, 2022

/s/ Timothy P. Branigan
Timothy P. Branigan (Fed. Bar No. 06295)
Chapter 13 Trustee
9891 Broken Land Parkway, #301
Columbia, Maryland 21046
(410) 290-9120

**NOTICE OF OPPORTUNITY TO REQUEST A HEARING
TO THE DEBTOR(S) AND DEBTOR(S)'S ATTORNEY OF RECORD**

PLEASE TAKE NOTICE that the Chapter 13 case will be closed unless, not later than January 3, 2023, there is filed with the Clerk, U.S. Bankruptcy Court, 6500 Cherrywood Lane, Greenbelt, Maryland 20770, and a copy served on the Trustee, a pleading responding to the Trustee's Motion to Dismiss Chapter 13 Case that controverts the motion or explains why the case should not be dismissed, together with a request for a hearing on the motion.

PLEASE TAKE FURTHER NOTICE that the case may be voluntarily converted to a case under Chapter 7 upon the Debtor(s)'s motion. A motion to convert the case to a case under Chapter 7 must be filed not later than January 3, 2023 with the Clerk, U.S. Bankruptcy Court, 6500 Cherrywood Lane, Greenbelt, Maryland 20770, together with a necessary \$25.00 filing fee.

Certificate of Service

I hereby certify that the following persons are to be served electronically via the CM/ECF system:

James R. Logan, Esq.

I caused a copy of the foregoing to be sent on December 9, 2022 by first-class U.S. mail, postage prepaid to:

Gregory J. Casamento
14218 Oxford Drive
Laurel, MD 20707

/s/ Timothy P. Branigan
Timothy P. Branigan (Fed. Bar No. 06295)

Case Overview**Case No. 21-1-6504**
ACTIVE

GREGORY J CASAMENTO

Thursday, December 8, 2022

3:41 pm

User: sgavigan

RECEIPT HISTORY

RECEIPT DATE	RECEIPT SOURCE	RECEIPT DESCRIPTION	RECEIPT AMOUNT
Feb 18, 2022	8282597000an Pa	SUNTRUST ePAY STANDARD PLAN	1,300.00
Mar 01, 2022	8305120000an Pa	SUNTRUST ePAY STANDARD PLAN	2,300.00
Jun 13, 2022	8522183000an Pa	SUNTRUST ePAY STANDARD PLAN	1,800.00
TOTAL RECEIPTS			5,400.00